

Belgian Waffle

Knock & Talk (K&T) Debrief & Next Steps

August 20, 2013

NOA & NCL

Preparation for K&T Action

- Analysis & Review of legal "stick" by NCL AP/NOA AP
- Coordination with NTD (Eugene-san) and NERD (Alexander-san) on threat level of hacker target
- Completed profile of hacker "Neimod"
 - Important to establish psychological approach with target (white, grey or black hat hacker?)
 - Informs "carrot vs. stick" approach
 - Intelligence confirmation of online/physical surveillance

Assemble K&T Team in Belgium

- NOA AP Team
- CSID Investigators
- NERD
- Local Licensed Investigator (Belgian, Dutch-speaking)

DAY 1 – K&T Preparation (Tuesday July 16 2013)

- Team assembled in "Strategy Room" in Hasselt, Belgium.
- Scripted & rehearsed "front door" dialogue
- Discussed potential outcomes & reaction to dialogue

DAY 2 (AM) – Pre-K&T Action (Wednesday July 17 2013)

- NOA AP (Jason Allen) coordinated IRC and “scene” monitoring efforts with investigators and vendors
- On-location physical surveillance
- The morning of the action, a select Corp. Comm. person was advised of the broad concept to insure they did not respond to any media inquiries without consulting with NOA AP.

DAY 2 (PM) – K&T Action (Wednesday July 17 2013)

- Team positioned at outdoor café near target's residence
- Local Investigator alerted team to target leaving workplace
- Team approached upon target's arrival at residence

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DAY 2 (PM) – K&T Action (continued) (Wednesday July 17 2013)

- K&T Team at Doorstep: NOA AP (Fritz Kryman), CSID Online Investigator and local investigator
- Introductions made in Dutch to parents: purpose of visit described and request to speak with target
- Target arrived and agreed to discussion
- Invitation to further discussion in residence's back yard garden (K&T Team did not enter residence at any time)

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DAY 2 (PM) – K&T Action (continued) (Wednesday July 17 2013)

- Discussion of Nintendo's concerns with hacker activity; cited Nintendo's interest in a discussion with Neimod pending execution of an NDA (as opposed to legal action)
- Neimod agreed and executed NDA
- Arrival of NERD into discussion and subtle hint of interest in collaboration; complete revelation of hacker activity and knowledge of 3DS security
- Neimod hesitated to sign settlement agreement; requested more time to consider issue.
- NOA AP reiterated the urgency and importance of execution of the Settlement Agreement but also respect for Neimod in terms of allotting him time to review, consider.
- Late that evening, Neimod called, indicated interest in committing to settlement terms. Team returns to residence to execute settlement agreement and set time for continued discussion of collaboration the following evening.

DAY 3 – Post-K&T Action (Thursday July 18 2013)

- NOA AP & NERD discussion with French & Belgian employment law counsel
- NOA AP & NERD discussion of "missions" for Neimod's consideration
- Discussion with Neimod on "missions"
- Target confirmed interest in formalizing collaboration with Nintendo and liked the proposed "missions" (e.g. Gateway analysis)

PDCA of K&T Action

- Sharing of intelligence gathered from target with NCL (IRD)
- Continued discussion with NERD and employment counsel on consulting agreement
- Continued discussion of appropriate "bounty" for hackers
- Confirmation that K&T preparation methodology works and must be adjusted specifically to each hacker target
- Successful K&T action enhanced internal communications and Nintendo's ability to secure hardware, thwart game piracy & circumvention device development
- Collaboration between NCL, NERD, NOA, NTD crucial to success of the action

PDCA: Review of Merits of K&T

- **Diminish the risk of dispersing hacking info.**
□ **DONE**
- Obtain hacking/technical info. □ DONE
 - Technique of hacking/exploit □ DONE
 - Vulnerability info. □ DONE
- Fix the vulnerability through NUP □ IN PROGRESS
 - Reflect the info. in designing future security system □ IN PROGRESS
- Obtain other hacker info. (possible) □ IN PROGRESS

PDCA: Review of Risk of K&T

- **Negative PR** □ **AVERTED**
 - We may get backlash from hackers. □ AVERTED
 - Cyber attack to Nintendo (leak of personal info.) □ AVERTED
- May accelerate hacking activity □ AVERTED
- Hacking community may go underground □ AVERTED
- Potential risk when we hire any hackers □ MITIGATED

Next Steps

- Propose next target (suggestions: "Yellows8", "marcan", "geohot")
 - Develop profiles for each target
 - Confirm real identity and physical location
 - Determine hacker status (white, grey, black)
- Next stage of "hearts & minds" initiative
 - Outreach to development community (Waku Waku)
 - Leverage Neimod K&T to influence hacker community
 - Formalize hacker "bounty" and promote positive image of Nintendo re: security and software development